

1 KEVIN V. RYAN (CSBN 118321)  
United States Attorney

2 EMUI L. CHOI (WVSBN 0722)  
3 Chief, Criminal Division

4 SUSAN KNIGHT (CSBN 209013)  
Assistant United States Attorney

5 150 Almaden Blvd., Suite 900  
6 San Jose, California 95113  
7 Telephone: (408) 535-5056  
8 FAX: (408) 535-5066  
Susan.Knight@usdoj.gov

9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN JOSE DIVISION  
13

14  
15 \*E-ILED - 8/4/05\*

16  
17 CR-05-00344-RMW  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 UNITED STATES OF AMERICA,

2 Plaintiff,

3 v.

4 JUAN IBARRA-ALVAREZ,

5 Defendant.

No. CR 05-00344 RMW

ORDER EXCLUDING TIME  
FROM THE SPEEDY TRIAL ACT  
CALCULATION (18 U.S.C. §§ 3161(h)(8)(A)  
& 3161(h)(8)(B)(iv))

7 On June 20, 2005, the parties appeared before the Court for an initial appearance. At the  
8 hearing, Assistant Federal Public Defender Angela Hansen informed the Court that she has  
9 requested audiotapes of the defendant's deportation proceedings in order to evaluate if he has  
10 any defense to the charge of illegal reentry. Therefore, the parties jointly requested that the case  
11 be continued until July 25, 2005 in order for the Government to obtain the audiotape and provide  
12 it to AFPD Hansen. In addition, the parties stipulated and agreed that an exclusion under Speedy  
13 Trial Act from June 20, 2005 until July 25, 2005 was appropriate based on the defendant's need  
14 for effective preparation of counsel.

15 //

16 SO STIPULATED.

KEVIN V. RYAN  
United States Attorney

18 DATED: \_\_\_\_\_

SUSAN KNIGHT  
Assistant United States Attorney

20 DATED: \_\_\_\_\_

ANGELA HANSEN  
Assistant Federal Public Defender

23 Accordingly, the Court HEREBY ORDERS that a status hearing be scheduled for July  
24 25, 2005 at 9:00 a.m.

25 The Court FURTHER ORDERS that the time between June 20, 2005 and July 25, 2005  
26 is excluded under the Speedy Trial Act. The Court finds that the failure to grant the requested  
27 continuance would deny the defendant effective preparation of counsel. The Court finds that the  
28 ends of justice served by granting the requested continuance outweigh the best interest of the

1 public and the defendant in a speedy trial and in the prompt disposition of criminal cases. The  
2 Court therefore concludes that this exclusion of time should be made under 18 U.S.C. §§  
3 3161(h)(8)(A) and 3161(h)(8)(B)(iv).

4 IT IS SO ORDERED.

5  
6 8/4/05

Dated

/S/ RONALD M. WHYTE

RONALD M. WHYTE

United States District Judge